CERTIFICATE OF MAILING

Hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Stephen C. D'Amico
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Signature

1-16-03
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1647

FEDER ET AL.

Examiner: WEGERT, SANDRA L

APPLICATION NO: 10/086,156

FILED: FEBRUARY 28, 2002

FOR: POLYNUCLEOTIDE ENCODING TWO NOVEL HUMAN
POTASSIUM CHANNEL BETA-SUBUNITS, K+betaM4 and
K+betaM5

Assistant Commissioner for Patents
Washington, D.C. 20231

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TECH CENTER 1600/2600

RESPONSE TO RESTRICTION REQUIREMENT


Sir:

In reply to the Office Action dated December 20, 2002, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of Group I drawn to nucleic acids encoding a potassium channel beta subunit, complementary nucleic acids, vectors, host cells, and methods of producing polypeptides recombinantly. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed. Applicants response is timely and no extensions are necessary.

If any fee is due in connection herewith, please charge such fee to Deposit Account No. 19-3880 of the undersigned. Furthermore, if any extension of time not already accounted for is required, such extension is hereby petitioned for, and it is requested that any fee due for said extension be charged to the above-stated Deposit Account.

Respectfully submitted,

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000
(609) 252-5289
Date: 1-16-03


Stephen C. D'Amico
Attorney for Applicants
Reg. No. 46,652



CASE D0115 NP

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Assistant Commissioner for Patents
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Kindly enter the following amendments to the above captioned application.

In the Specification:

Please amend the specification as follows:

On page 1, replace the Field Of Invention section paragraph beginning on line 14 with the following paragraph:

A (-- The present invention provides novel polynucleotides encoding K+betaM4 or K+betaM5 polypeptides, fragments and homologues thereof. Also provided are vectors, host cells, antibodies, and recombinant and synthetic methods for producing said polypeptides. The invention further relates to diagnostic and therapeutic methods for applying these novel K+betaM4 or K+betaM5 polypeptides to the diagnosis, treatment, and/or prevention of various diseases and/or disorders related to these polypeptides. The invention further relates to screening methods for identifying agonists and antagonists of the polynucleotides and polypeptides of the present invention.--